

PROPERTY LAW
CASES AND MATERIALS

VOLUME I

**Arnold Weinrib
Faculty of Law
University of Toronto**

**These materials are reproduced solely for the use of students in
the Faculty of Law, University of Toronto**

1997 - 1998

KE
560
1604
1997
v. 1
c. 1

storage

AYX - 4448

BSRA LAGIM LAW LIBRARY

AUG 29 1997

FACULTY OF LAW
UNIVERSITY OF TORONTO

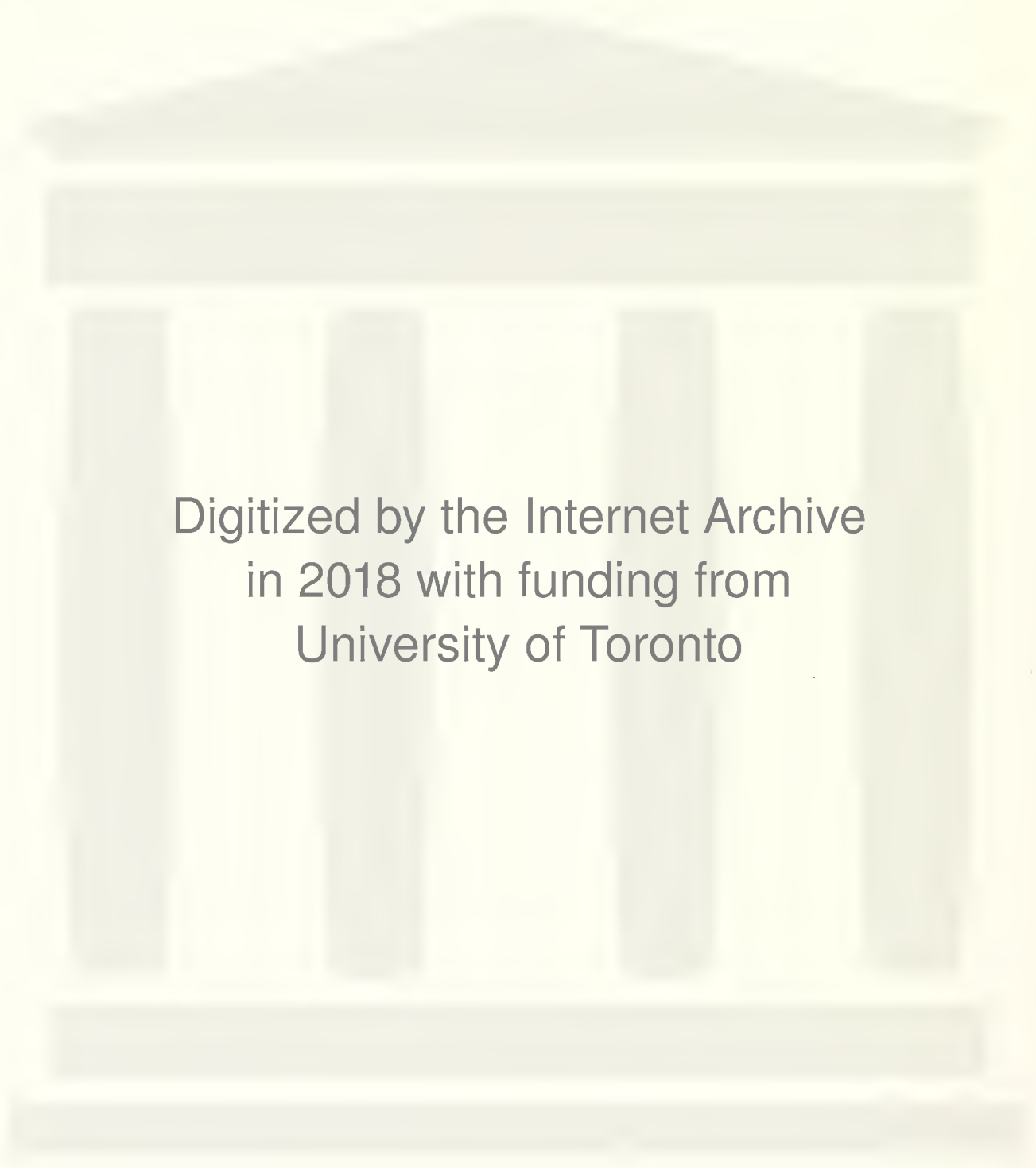
PROPERTY LAW
CASES AND MATERIALS

VOLUME I

Arnold Weinrib
Faculty of Law
University of Toronto

These materials are reproduced solely for the use of students in
the Faculty of Law, University of Toronto

1997 - 1998



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

I. WHAT IS PROPERTY

A. Unfair Competition and Free Riding

International News Service v. Associated Press	1
Metropolitan Opera Ass'n v. Wagner-Nicols	10
Victoria Park Racing v. Taylor	17
Institut National des Appellations d'Origine des Vins v. Andres Wines	30
Note	53

B. Property in Statutes

R. v. MacEwen, R. v. Bell	58
R. v. Stewart	61

C. The Taking of Property

Pennsylvania Coal Co. V. Mahon	72
Keystone Bituminous Coal Co. v. Mahon	75
Belfast Corp. v. O.D. Cars Ltd.	76
Manitoba Fisheries Ltd. v. R.	81
Note	90

D. Property and Competing Rights

London Borough of Southwark v. Williams	91
Avon County Council v. Buscott and Others	94
Harrison v. Carswell	95
Note	104

II. ADVERSE POSSESSION

Callahan: <u>Adverse Possession</u>	106
Limitations Act	116
Re St. Clair Beach Estates Ltd. and MacDonald	118
Re Lundrigans Ltd. and Prosper et al.	124
Wallis's Cayton Bay Holiday Camp v. Shell-Mex	126
Buckinghamshire County Council v. Moran	138
Masidon Investments v. Ham	146
Beaudoin v. Aubin	156
Note	163

III. LAND: THE ESTATE SYSTEM

A. Fee Simple Estates

R. Scane, History of the Estate System	164
Laskin, Cases and Notes on Land Law	170
Conveyancing and Law of Property Act	171

1. Defeasible Fees

Eastern Trust Co. v. McTague	172
------------------------------	-----

2. Defeasible Fees and Public Policy

Re Drummond Wren	181
Re Noble and Wolf	185

Conveyancing and Law of Property Act	194
Canadian Charter of Rights and Freedoms, 1982, ss. 15, 32	195
Blathwayt v. Baron Crawley	196
Re Leonard Foundation Trust	201

3. Defeasible Fees and Uncertainty

Sifton v. Sifton	232
Clayton v. Ramsden	242
Re Noble and Wolf	248
Blathwayt v. Baron Crawley	253

4. Defeasible Rees and Restraints on Alienation

Blackburn v. McCallum	255
Re Noble and Wolf	258
Laurin v. Iron Ore Co. of Canada	259
Stevens v. Gulf Oil Canada Ltd.	268

B. Fee Tail Estates

R. Scane: The Estate in Fee Tail	274
----------------------------------	-----

C. Life Estates

R. Scane: Life Estates	277
R. Scane: Competition Between Interests	281

